

Patent  
Attorney Docket No. 034041-005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of  
Mark Douglas Howell et al.

Application No.: 10/071,829

Filing Date: February 7, 2002

Title: APPARATUS FOR ENHANCING IMMUNE RESPONSES IN MAMMALS

Group Art Unit: 1641

Examiner: ANN Y LAM

Confirmation No.: 4144

THIRD  
INFORMATION DISCLOSURE STATEMENT  
TRANSMITTAL LETTER

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Enclosed is a THIRD Information Disclosure Statement and accompanying form PTO-1449 for the above-identified patent application.

- ☐ No additional fee for submission of an IDS is required.
- ☒ The fee of \$180.00 (1806) as set forth in 37 C.F.R. § 1.17(p) is also enclosed.
- ☐ A statement under 37 C.F.R. § 1.97(e) is also enclosed.
- ☐ A statement under 37 C.F.R. § 1.97(e), and the fee of \$180.00 (1806) as set forth in 37 C.F.R. § 1.17(p) are also enclosed.
- ☐ Charge \_\_\_\_\_ to Deposit Account No. 02-4800 for the fee due.
- ☒ A check in the amount of \$ 180.00 is enclosed for the fee due.
- ☐ Charge \_\_\_\_\_ to credit card. Form PTO-2038 is attached.

The Director is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

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Date: February 7, 2005

By

Sharon E. Crane

Sharon E. Crane, Ph.D.

Registration No. 36,113

by RD Huntigton  
Reg. No. 27,903

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**



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| In re Patent Application of  | ) |                        |
| Mark Douglas Howell et al.   | ) | Group Art Unit: 1641   |
| Application No.: 10/071,829  | ) | Examiner: ANN Y LAM    |
| Filed: February 7, 2002      | ) | Confirmation No.: 4144 |
| For: APPARATUS FOR ENHANCING | ) |                        |
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|                              | ) |                        |
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|                              | ) |                        |

**THIRD INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure as set forth in 37 C.F.R. § 1.56, the accompanying information is being submitted in accordance with 37 C.F.R. §§ 1.97 and 1.98.

Some of the listed documents were previously made of record in prior Application Serial No. 09/444,144, filed November 20, 1999, upon which Applicants rely for the benefits provided in 35 U.S.C. § 120. In accordance with 37 C.F.R. § 1.98, a copy of each of the listed documents, except those documents which were previously made of record in the prior application, is enclosed.

Copies of the listed U.S. patents and U.S. patent application publications are not enclosed since it is no longer required according to the July 11, 2003 waiver of the requirement for copies of cited U.S. patents and U.S. patent application publications in national patent applications filed after June 30, 2003 and international applications entering the national stage under 35 U.S.C. § 371 after June 30, 2003.

The documents are being submitted after a first Office Action on the merits but prior to the closing of prosecution, therefore under 37 C.F.R. § 1.97(c), the fee set forth in 37 C.F.R. § 1.17(p) is enclosed.

A fee of \$180.00 (1806) as set forth in 37 C.F.R. § 1.17(p) is enclosed.

To assist the Examiner, the document is / documents are listed on the attached form PTO-1449. It is respectfully requested that an Examiner initialed copy of this form be returned to the undersigned.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

Date February 7, 2005

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# **THIRD INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

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Sheet

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of

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**Complete if Known**

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| First Named Inventor   | Mark Douglas Howell et al. |
| Examiner Name          | ANN Y LAM                  |
| Attorney Docket Number | 034041-005                 |

**U.S. PATENT DOCUMENTS**

| Examiner<br>Initials | Document<br>Number | Kind Code<br>(if known) | Name of Patentee or Applicant<br>of Cited Document | Issue/Publication Date<br>(MM-DD-YYYY) |
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Examiner  
SignatureDate  
Considered

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Sheet 2 of 9

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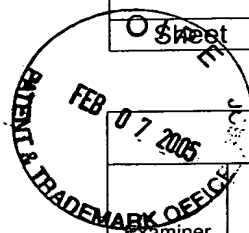
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|                                                                                                                     |   |    |                          |                            |  |
|---------------------------------------------------------------------------------------------------------------------|---|----|--------------------------|----------------------------|--|
| Substitute for form 1449A/PTO & 1449B/PTO                                                                           |   |    | <b>Complete if Known</b> |                            |  |
| <b>THIRD</b><br><b>INFORMATION DISCLOSURE</b><br><b>STATEMENT BY APPLICANT</b><br>(use as many sheets as necessary) |   |    | Application Number       | 10/071,829                 |  |
|                                                                                                                     |   |    | Filing Date              | February 7, 2002           |  |
|                                                                                                                     |   |    | First Named Inventor     | Mark Douglas Howell et al. |  |
|                                                                                                                     |   |    | Examiner Name            | ANN Y LAM                  |  |
|                                                                                                                     |   |    | Attorney Docket Number   | 034041-005                 |  |
| Sheet                                                                                                               | 3 | of | 9                        |                            |  |

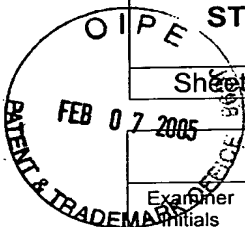


| FOREIGN PATENT DOCUMENTS |                 |                      |         |                                  |             |                     |                    |               |      |          |
|--------------------------|-----------------|----------------------|---------|----------------------------------|-------------|---------------------|--------------------|---------------|------|----------|
| Examiner Initials        | Document Number | Kind Code (if known) | Country | Date of Publication (MM-DD-YYYY) | STATUS      |                     |                    |               |      |          |
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| NON-PATENT LITERATURE DOCUMENTS |                                                                                                                                                                                                                                                                                                                                          |
|---------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Examiner Initials               | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.                                                                          |
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| Sheet                                                                                                               | 4 | of                       | 9                          |

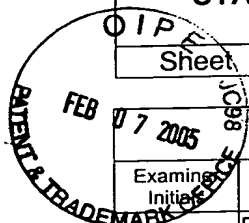


| NON-PATENT LITERATURE DOCUMENTS |                                                                                                                                                                                                                                                                                            |
|---------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Examiner Initials               | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.                            |
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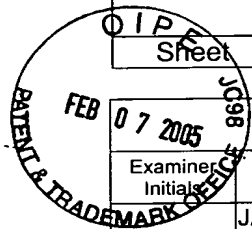
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